



Entered on Docket
June 27, 2011


Hon. Gregg W. Zive
United States Bankruptcy Judge

JOHN F. MURTHA, ESQ.
Nevada Bar No. 835
BRENOCH R. WIRTHLIN, ESQ.
Nevada Bar No. 10282
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Attorneys for Trustee
Angelique L.M. Clark

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CETUS MORTGAGE, LTD.

Case No. BK-08-51131-GWZ
Chapter 7

Debtor.

**ORDER APPROVING TRUSTEE'S
COMPROMISE OF AVOIDANCE
ACTIONS PURSUANT TO FRBP 9019**

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Hearing Date: June 8, 2011
Hearing Time: 2:00 p.m.

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05049-GWZ

3 Plaintiff,

4 vs.

5 RALPH L. ALBRIGHT and
6 CAROL L. ALBRIGHT, Trustees of
7 the Ralph Albright Family Trust;
8 RALPH L. ALBRIGHT, Trustee of the
9 Ralph Albright Drilling Co. Profit
Sharing Plan and Trust; and
NEVADA COMPUTER LEASING,
a Nevada Corporation,

10 Defendants.
11 _____/

12 ANGELIQUE L.M. CLARK,
13 TRUSTEE,

Adv. No.: 10-05050-GWZ

14 Plaintiff,

15 vs.

16 WILLIAM E. BECKER and
17 SHARON L. BECKER, Trustees
of the Becker Family Trust,

18 Defendant.
19 _____/

20 ANGELIQUE L.M. CLARK,
21 TRUSTEE,

Adv. No. 10-05051-GWZ

22 Plaintiff,

23 vs.

24 PAUL A. BIBLE, Trustee
of the Bible Mousel, PC PSP
fbo Paul A. Bible; and
25 PAUL A. BIBLE, Trustee
of the Bible Family Trust.

26 Defendants.
27 _____/

1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05053-GWZ

3 Plaintiff,

4 vs.

5 MICHAEL G. BRIERLEY and
6 ANITA BRIERLEY, Trustees
7 of the Brierley Family Trust; and
8 MICHAEL G. BRIERLEY and
9 ANITA BRIERLEY, Trustees
of the Brierley Construction
Company Pension Trust,

10 Defendants. /

11 ANGELIQUE L.M. CLARK,
12 TRUSTEE,

Adv. No. 10-05055-GWZ

13 Plaintiff,

14 vs.

15 BUSINESS & PROFESSIONAL
16 COLLECTION SERVICE, INC., a
Nevada corporation,

17 Defendant. /

18 ANGELIQUE L.M. CLARK,
19 TRUSTEE,

Adv. No. 10-05057-GWZ

20 Plaintiff,

21 vs.

22 NICK CARANICA; and
23 STELLA CARANICA,

24 Defendants. /

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05060-GWZ

3 Plaintiff,

4 vs.

5 ROBERT J. FRICKE, Trustee of
6 the Robert J. Fricke and Paule-
7 Colette Fricke 2001 Family Trust,

8 Defendant.

9 _____ /
10 ANGELIQUE L.M. CLARK,
11 TRUSTEE,

Adv. No. 10-05061-GWZ

12 Plaintiff,

13 vs.

14 ESLEY HARDEN and
15 MARIE HARDEN, Trustees
16 of the Harden Family Trust,

17 Defendant.

18 _____ /
19 ANGELIQUE L.M. CLARK,
20 TRUSTEE,

Adv. No. 10-05062-GWZ

21 Plaintiff,

22 vs.

23 BARRY HICKERSON and
24 VALERIE HICKERSON, Trustees
25 of the Hickerson Family Trust,

26 Defendant.

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05065-GWZ

3 Plaintiff,

4 vs.

5 JOHN R. LINDELL and
6 BARBARA A. LINDELL,
7 Trustees of the John R.
Lindell Family Trust,

8 Defendant.

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10 ANGELIQUE L.M. CLARK,
TRUSTEE,

Adv. No. 10-05066-GWZ

11 Plaintiff,

12 vs.

13 JOHN R. LINDELL, Trustee
14 of Lindell's Painting Service
15 Money Purchase Pension Plan,

16 Defendant.

17 _____/
18 ANGELIQUE L.M. CLARK,
TRUSTEE,

Adv. No. 10-05068-GWZ

19 Plaintiff,

20 vs.

21 CYNTHIA MORREY,

22 Defendant.

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05069-GWZ

3 Plaintiff,

4 vs.

5 BARBARA E. MOSS,

6 Defendant.

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8 ANGELIQUE L.M. CLARK,
TRUSTEE,

Adv. No. 10-05074-GWZ

9 Plaintiff,

10 vs.

11
12 RICHARD STARKWEATHER,
Trustee of the Starkweather
13 Family Trust,

14 Defendant.

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16 ANGELIQUE L.M. CLARK,
TRUSTEE,

Adv. No. 10-05075-GWZ

17 Plaintiff,

18 vs.

19 JACK R. TUTTLE; NANCY R.
20 TUTTLE; and STEVEN A. TUTTLE,

21 Defendants.

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05076-GWZ

3 Plaintiff,

4 vs.

5 GEORGE P. YOUNG; and
6 SHIRLEY YOUNG,

7 Defendants.

8 _____/
9 ANGELIQUE L.M. CLARK,
10 TRUSTEE,

Adv. No. 10-05077-GWZ

11 Plaintiff,

12 vs.

13 JOHN J. DOUGLASS; CAROL
14 K. DOUGLASS; DANIEL P.
15 DOUGLASS; and JACK and
16 BARBARA DOUGLASS, Trustees
17 of the Jack and Barbara Jo
18 Douglass Living Trust

19 Defendants.

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1 ANGELIQUE L.M. CLARK,
2 TRUSTEE,

Adv. No. 10-05078-GWZ

3 Plaintiff,

4 vs.

5 STEVEN L. MOSS, DAVID E. HALD,
6 C. GARO GHOLDIAN, JONATHAN
7 S. GARY-SAGE and JOHN SCOTT,
8 in their capacities as the Trustees of
9 the Urologic Surgeons Ltd. Profit
10 Sharing Plan; Trustees of Urologic
11 Surgeons Ltd. Profit Sharing Plan
12 and Trust fbo Steven Moss; and
13 Trustees of the Urologic Surgeons,
14 Ltd. Profit Sharing Plan and Trust
15 fbo John Scott,

12 Defendants.

13 _____/
14 ANGELIQUE L.M. CLARK,
15 TRUSTEE,

Adv. No. 10-05079-GWZ

15 Plaintiff,

16 vs.

17 STEVEN L. MOSS, in his capacity
18 as Trustee of the Moss Family Trust;
19 and MOSSNEVADA, LLC, a Nevada
20 limited liability company,

20 Defendants.

21 _____/
22 This matter came before the Court on the 8th day of June, 2011, on the Trustee's
23 Motion to Approve Trustee's Compromise of Avoidance Actions Pursuant to FRBP 9019
24 ("Motion") (Docket No. 727) filed herein on May 11, 2011; it appearing from the record
25 that notice of the hearing on the Motion has been given as required by law; it also
26 appearing from the record that no oppositions or other responses to the Motion were
27
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1 filed; John F. Murtha, Esq. appeared at the hearing on behalf of the Trustee; Jeffrey L.
2 Hartman, Esq., Sallie Armstrong, Esq. and Allen J. Wilt, Esq. appeared on behalf of the
3 Defendants; the Court having considered the Motion and the exhibits thereto, including
4 a form Settlement Agreement to be used in connection with all of the captioned
5 Adversary Proceedings and the representations of counsel at the hearing; and GOOD
6 CAUSE APPEARING;
7

8 IT IS HEREBY ORDERED that:

- 9 1. The Motion is GRANTED in its entirety;
- 10 2. The Trustee is authorized to take such actions and to execute such
11 documents as may be necessary to consummate the settlements contemplated by the
12 Parties' Settlement Agreements and as described in the Motion.
13

14 Prepared and Submitted by:

15
16 John F. Murtha, Esq.
17 Woodburn and Wedge
18 P.O. Box 2311
19 Reno, Nevada 89505
20 Attorneys for Trustee

21 Approved/Disapproved as to form
22 and content

23 By: /s/ Jeffrey L. Hartman
24 Jeffrey L. Hartman, Esq.

25 Approved/Disapproved as to form
26 And content

27 By: /s/ Sallie Armstrong
28 Sallie Armstrong, Esq.

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Approved/Disapproved as to form
And content

By: /s/ Allen Wilt
Allen Wilt, Esq.

ALTERNATIVE METHOD RE: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies as follows: (check one):

☐ The Court waived the requirements of approval under LR 9021.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of the proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Counsel who approved the order: Jeffrey L. Hartman, Esq.
Sallie B. Armstrong, Esq.
Allen J. Wilt, Esq.

Counsel who disapproved the order: _____

Counsel who did not respond: _____

☐ This is a chapter 9, 11 or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Counsel who approved the order: _____

Counsel who disapproved the order: _____

Counsel who did not respond: _____

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.



John F. Murtha, Esq.
Attorneys for Trustee

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